

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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YOEL WEISSHAUS,

Plaintiff,

11 Civ. 6616 (RKE)

-against-

**ORDER**

PORT AUTHORITY OF NEW YORK  
AND NEW JERSEY,

Defendant.

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**ORDER**

The Court hereby amends its order of May 22, 2023, ECF No. 188, ruling on Plaintiff's letter motion for discovery and submission of a rebuttal expert, ECF No. 187, to now read as follows:

It is hereby

**ORDERED** that Plaintiff's request to present a rebuttal expert is granted upon the condition that the Court determines such witness is an expert qualified to explain, repel, counteract, or disprove evidence presented by Elizabeth McCarthy during her deposition on April 20, 2023; it is further

**ORDERED** that Plaintiff shall provide the Court and the Port Authority with a written expert report that complies with the requirements of Federal Rule of Civil Procedure 26(a)(2)(B), along with any proposed expert rebuttal testimony offered in addition to what is included in the aforementioned report, by no later than Friday, July 21, 2023; and it is further

**ORDERED** that the Court will reserve decision on the Port Authority's request for leave

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to permit the parties to amend their respective motions for summary judgment until after Plaintiff's request for a rebuttal expert has been resolved.

/s/ Richard K. Eaton

U.S.D.J., by Designation

Dated: June 6, 2023

New York, New York